

**UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: MICHAEL PUTALAVAGE  
TERRI PUTALAVAGE

Debtor(s)

CHAPTER 13

CHARLES J. DEHART, III  
CHAPTER 13 TRUSTEE  
Movant

CASE NO: 5-19-03389-RNO

**TRUSTEE'S MOTION TO DISMISS CASE**

AND NOW, on September 4, 2019, Charles DeHart, III, Standing Chapter 13 Trustee for the Middle District of Pennsylvania, moves this Honorable Court for dismissal of the above-captioned Chapter 13 bankruptcy case for the following reason(s):

- 1) A Petition under Chapter 13 was filed on August 7, 2019.
- 2) The Debtor has not filed the following items or a motion for extension of time to file same pursuant to F.R.B.P. 1007(c).

**- Form 122C-1 CHAPTER 13 STATEMENT OF CURRENT MONTHLY INCOME  
AND CALCULATION OF COMMITMENT PERIOD**  
**- Form 122C-2 CHAPTER 13 CALCULATION OF YOUR DISPOSABLE INCOME**  
**- CHAPTER 13 PLAN**

- 3) If upon receipt of this Motion and the Notice, Debtors file the missing documents on or before the response date specified on said notice, the Motion shall be deemed withdrawn and moot.

WHEREFORE, your Trustee prays that this Honorable Court enter an Order dismissing the above-captioned case.

Respectfully submitted,  
s/ Charles J. DeHart, III  
Standing Chapter 13 Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036  
(717) 566-6097

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CASE NO: 5-19-03389-RNO

**NOTICE**

The debtor(s) filed a Chapter 13 Bankruptcy Petition on August 7, 2019.

The Standing Chapter 13 Trustee, Charles J. DeHart, III, has filed a Motion to Dismiss for failure to file the indicated document(s) below:

- **Form 122C-1 CHAPTER 13 STATEMENT OF CURRENT MONTHLY INCOME AND CALCULATION OF COMMITMENT PERIOD**
- **Form 122C-2 CHAPTER 13 CALCULATION OF YOUR DISPOSABLE INCOME**
- **CHAPTER 13 PLAN**

A hearing with the Court has been scheduled for:

<b>Date:</b>	<b>October 8, 2019</b>
<b>Time:</b>	<b>09:30 AM</b>
<b>Location:</b>	<b>U.S. Bankruptcy Court Max Rosenn U.S. Courthouse Courtroom #2 197 S. Main Street Wilkes Barre, PA</b>

Any objection/response to the Trustee's Motion to Dismiss must be filed and served on or before:  
**September 18, 2019.** If Debtor(s) file the missing documents on or before the stated response date, the Motion shall be deemed withdrawn and moot.

Additionally, if you file and serve an objection/response within the time period, a hearing will be held on the above date. If you do not file an objection within the time permitted the Court will deem the motion unopposed and proceed to consider the Motion without further notice or hearing, and may grant the relief requested.

Respectfully submitted,  
s/ Charles J. DeHart, III  
Standing Chapter 13 Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036

Dated: September 4, 2019

**UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

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TERRI PUTALAVAGE

**Debtor(s)**

CHAPTER 13

CASE NO: 5-19-03389-RNO

**CERTIFICATE OF SERVICE**

I certify that I am more than 18 years of age and that on September 4, 2019, I served a copy of this Motion to Dismiss, Notice and Proposed Order on the following parties by 1<sup>st</sup> Class mail, unless served electronically.

PAUL W McELRATH, JR, ESQUIRE  
McELRATH LEGAL HOLDINGS, LLC  
1641 SAW MILL RUN BLVD  
PITTSBURGH, PA 15210-  
Served electronically

United States Trustee  
228 Walnut Street  
Suite 1190  
Harrisburg, PA 17101

Served electronically

I certify under penalty of perjury that the foregoing is true and correct.

Date: September 4, 2019

Vickie Williams  
for Charles J. DeHart, III, Trustee  
Suite A, 8125 Adams Dr.  
Hummelstown, PA 17036  
Phone: (717) 566-6097  
Fax: (717) 566-8313  
eMail: [dehartstaff@pamd13trustee.com](mailto:dehartstaff@pamd13trustee.com)

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Debtor(s)

CHAPTER 13

CHARLES J. DEHART, III  
CHAPTER 13 TRUSTEE  
Movant

CASE NO: 5-19-03389-RNO

vs.

MICHAEL PUTALAVAGE  
TERRI PUTALAVAGE

MOTION TO DISMISS

Respondent(s)

**ORDER DISMISSING CASE**

Upon consideration of the Trustee's Motion to Dismiss, it is hereby ORDERED that the above-captioned bankruptcy be and hereby is DISMISSED.